

REMARKS

Information Disclosure Statement:

Applicant thanks the Examiner for initialing and returning the Form PTO/SB/08 A & B filed on July 22, 2003, thus indicating that all of the references listed thereon have been considered.

Allowable Subject Matter:

Applicant also thanks the Examiner for indicating that although claims 3, 4, 8, 10, 11 and 33 have been objected to, these claims would be allowable if written in independent form.

Claim Objection:

Claim 27 has been objected to. Applicant has amended claim 27 to depend on claim 26. Thus, Applicant hereby requests the Examiner reconsider and withdraw the above objection.

Claim Rejections:

Claims 1-11 and 22-38 are all of the claims pending in the present application, and currently claims 1-2, 5-7, 9, 22-32 and 34-38 stand rejected.

35 U.S.C. § 102(b) Rejection - Claims 1 and 22-23:

Claims 1 and 22-23 stand rejected under 35 U.S.C. § 102(b) as being anticipated by British Patent No. GB 2,153,708 to Denton et al. In view of the following discussion, Applicant respectfully traverses the above rejection.

Denton discloses a coating unit for an optical fiber 8, where the coating unit has a die portion having a nut 23 and an o-ring 20. By using a drive means the nut 23 is automatically adjusted so as to squeeze the o-ring 20. The squeezing of the ring 20 causes its inner diameter to get smaller, thus affecting the thickness of the coating 19.

However, Applicant notes that Denton fails to disclose a helical spring member, as claimed in claim 1. Thus, Denton fails to disclose each and every feature of the claimed invention.

In view of the foregoing, Applicant submits that Denton fails to disclose each and every feature of the claimed invention. Thus, Denton fails to anticipate the claimed invention, as required under the provisions of 35 U.S.C. § 102(b). Accordingly, Applicant hereby requests the Examiner reconsider and withdraw the above 35 U.S.C. § 102(b) rejection of claim 1. Further, as claims 22-23 depend on claim 1, Applicant hereby submits that these claims are also allowable, at least by reason of their dependence.

35 U.S.C. § 103(a) Rejection - Claims 7, 9, 28-29, 32 and 34-35:

Claims 7, 9, 28-29, 32 and 34-35 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the above Denton reference. In view of the following discussion, Applicant hereby traverses the above rejection.

With regard to claims 7 and 34, Denton teaches that “[t]he measured diameter [of the coating 19 is] employed in a control circuit of a drive means (not shown) for automatically adjusting the nut 23 and compression of the “O”-ring 20 to produce the required internal diameter for portion 19.” *See* Denton, page 2, lines 44-48. However, as admitted by the Examiner, Denton fails to suggest that the measurement of the diameter takes place downstream of the coating die.

In any event, similar to claim 1, Applicant notes that Denton fails to teach or suggest any kind of helical member or component, as set forth in both claims 7 and 34. Thus, Denton fails to teach or suggest each and every feature of the claimed invention.

In view of the foregoing, Applicant submits that Denton fails to teach or suggest each and every feature of the claimed invention. Thus, Denton fails to establish a *prima facie* case of obviousness with respect to the claimed invention, as required under the provisions of 35 U.S.C. § 103(a). Accordingly, Applicant hereby requests the Examiner reconsider and withdraw the above 35 U.S.C. § 103(a) rejection of claims 7 and 34. Further, as claims 9, 28-29, 32 and 35 depend on these claims, respectively, Applicant hereby submits that these claims are also allowable, at least by reason of their dependence.

35 U.S.C. § 102(b) Rejection - Claims 1-2, 5, 6, 22-24 and 36-37:

Claims 1-2, 5, 6, 22-24 and 36-37 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,259,379 to Britton et al. In view of the following discussion, Applicant respectfully traverses the above rejection.

Britton discloses a coating unit for providing a coating on a web W, and is not expressly directed to the coating of optical fibers. Further, although Britton discloses using a spring 38 in the regulating of the thickness of the coating, the spring 38 does not “define” the orifice, as set forth in claim 2.

In rejecting claim 2, the Examiner asserts that the spring 38 “defines the orifice.” Applicant disagrees. In Britton, the spring 38 is used to provide a compression force on the control plates 24, which are the components which define the opening or orifice for the web W. Thus, Applicant submits that it is an overly broad interpretation of Britton to assert that the spring 38 “defines the orifice,” as set forth in claim 2.

Applicant notes that the above referenced comments regarding claim 2, equally apply to claim 1.

In view of the foregoing, Applicant submits that Britton fails to disclose each and every feature of the claimed invention. Thus, Britton fails to anticipate the claimed invention, as required under the provisions of 35 U.S.C. § 102(b). Accordingly, Applicant hereby requests the Examiner reconsider and withdraw the above 35 U.S.C. § 102(b) rejection of claims 1 and 2. Further, as claims 5, 6, 22-24 and 36-37 depend on claims 1 and 2, Applicant hereby submits that these claims are also allowable, at least by reason of their dependence.

35 U.S.C. § 112, 1st Paragraph Rejection - Claims 1, 22-31, 34-36 and 38:

Claims 1, 22-31, 34-36 and 38 stand rejected under 35 U.S.C. § 112, 1st paragraph as failing to enable one of ordinary skill in the art to make or use the claimed invention. Specifically, the Examiner alleges that there is no enabling disclosure for using only a “resilient member,” but only for a helical resilient member.

Although Applicant disagrees with the Examiner, and feels that the Examiner has misapplied the law of “enablement,” Applicant notes that this rejection is now moot in light of the amendments made to claims 1 and 34. However, Applicant does note that a “helical resilient member” is a “resilient member” and, as such, the Examiner’s enablement rejection was improper, as the present application sufficiently enables a “resilient member.”

Conclusion:

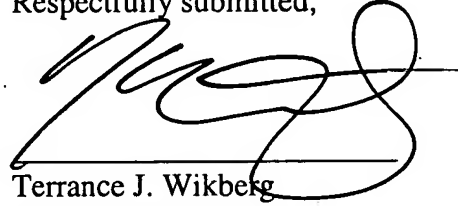
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
Application Number 10/008,478

Our Ref: A8237
Art Unit: 1734

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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